



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

House: HHS DP 5-4-0-0

HB 2312: women's shelters; male employees; liability

Sponsor: Representative Jones, LD 17

House Engrossed

Overview

Asserts that facilities that do not allow biological male employees to be in the presence of a woman or their minor children while living in the facility is not liable for gender discrimination if the facility's sole purpose is to provide a safe and stable shelter for women or women with their minor children.

History

It is an unlawful employment practice for an employer to do the following because of an individual's race, color, religion, sex, age, national origin or on the basis of disability:

- 1) to fail or refuse to hire, discharge or otherwise to discriminate against any individual with respect to their compensation, terms, conditions or privileges of employment;
- 2) to limit, segregate or classify employees or applicants for employment in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect their employee status; and
- 3) to fail or refuse to hire, discharge or otherwise discriminate against any individual based on the results of a genetic test received by the employer ([A.R.S. § 41-1463](#)).

Employer, as defined within the discrimination in employment statutes, means:

- 1) a person who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year; and
- 2) to the extent that the person is alleged to have committed any act of sexual harassment, a person who has one or more employees in the current or preceding calendar year ([A.R.S. § 41-1461](#)).

Provisions

1. Specifies that a facility that does not allow a biological male employee to be in the presence of a woman or their minor children while living in the facility is not liable for gender discrimination if the facility's sole purpose is to provide a safe and stable shelter for women or women with their minor children. (Sec. 1)
2. Defines *facility* to include a women's shelter, a women's halfway house and a sex trafficking rehabilitation center for women. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note